

SEP 13 2022

Clerk, US District Court

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

DOCKET NO. 5:21-CR-00080-KDB-DSC

UNITED STATES OF AMERICA)	CONSENT ORDER AND JUDGMENT OF FORFEITURE
v.)	
CHRISTOPHER SCOTT BURTON)	

WHEREAS, the defendant, CHRISTOPHER SCOTT BURTON, has entered into a plea agreement (incorporated by reference herein) with the United States and has voluntarily pleaded guilty pursuant to Fed. R. Crim. P. 11 to one or more criminal offenses under which forfeiture may be ordered;

WHEREAS, the defendant and the United States stipulate and agree that the property described below constitutes property derived from or traceable to proceeds of the defendant's offense(s) herein; property involved in the offenses, or any property traceable to such property; and/or property used in any manner to facilitate the commission of such offense(s); or substitute property as defined by 21 U.S.C. § 853(p) and Fed. R. Crim. P. 32.2(e); and is therefore subject to forfeiture pursuant to 21 U.S.C. § 853, provided, however, that such forfeiture is subject to any and all third party claims and interests, pending final adjudication herein; the defendant waives his interest, if any, in the property and agrees to the forfeiture of such interest;

WHEREAS, the defendant herein waives the requirements of Fed. R. Crim. P. 32.2 regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against defendant;

WHEREAS, pursuant to Fed. R. Crim. P. 32.2(b)(1) & (c)(2), the Court finds that there is the requisite nexus between the property and the offense(s) to which the defendant has pleaded guilty;

WHEREAS, the defendant withdraws any claim previously submitted in response to an administrative forfeiture or civil forfeiture proceeding concerning any of the property described below. If the defendant has not previously submitted such a claim, the defendant hereby waives all right to do so. If any administrative forfeiture or civil forfeiture proceeding concerning any of the property described below has previously been stayed, the defendant hereby consents to a lifting of the stay and consents to forfeiture;

NOW, THEREFORE, IT IS HEREBY ORDERED THAT the following property is forfeited to the United States:

- One Smith and Wesson M&P AR-15 rifle, bearing serial number TS04245, with ammunition;
- Twenty (20) rounds assorted .45 caliber ammunition;
- Sixty (60) rounds assorted .380 caliber ammunition;
- One hundred sixty-four (164) rounds assorted .22 caliber ammunition;
- Fifty (50) rounds assorted 9mm ammunition;
- Sixty-one (61) rounds assorted .233 caliber ammunition;
- Eighty (80) rounds assorted .308 caliber ammunition; and
- Twenty-seven (27) rounds 12 gauge ammunition, all seized on or about April 8, 2021 during the investigation.

The United States Marshal and/or other property custodian for the investigative agency is authorized to take possession and maintain custody of the above-described tangible property.

If and to the extent required by Fed. R. Crim. P. 32.2(b)(6), 21 U.S.C. § 853(n), and/or other applicable law, the United States shall publish notice and provide direct written notice of this forfeiture.

As to any firearms and/or ammunition listed above and/or in the charging instrument, defendant consents to disposal by federal, state, or local law enforcement authorities upon such legal process as they, in their sole discretion, deem to be legally sufficient, and waives any and all right to further notice of such process or such destruction.

Any person, other than the defendant, asserting any legal interest in the property may, within thirty days of the publication of notice or the receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest.

Pursuant to Fed. R. Crim. P. 32.2(b)(3), upon entry of this Order of Forfeiture, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of the property, including depositions, interrogatories, requests for production of documents and to issue subpoenas, pursuant to Fed. R. Civ. P. 45.

[The rest of this page intentionally left blank.]

Following the Court's disposition of all timely petitions filed, a final order of forfeiture shall be entered, as provided by Fed. R. Crim. P. 32.2(c)(2). If no third party files a timely petition, this order shall become the final order and judgment of forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2), and the United States shall have clear title to the property and shall dispose of the property according to law. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A), the defendant consents that this order shall be final as to defendant upon filing.

SO AGREED:



JONATHAN D. LETZRING
Assistant United States Attorney



CHRISTOPHER SCOTT BURTON
Defendant



TAYLOR GOODNIGHT
Attorney for Defendant

Signed: September 13, 2022



HONORABLE KENNETH D. BELL
United States District Judge
Western District of North Carolina

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ABANDONMENT AND WAIVER OF CLAIMS AS TO FIREARM

I, Defendant Christopher Scott Burton, hereby freely and voluntarily agree to surrender, abandon, and relinquish all rights, title, interest in, or claims to the following property:

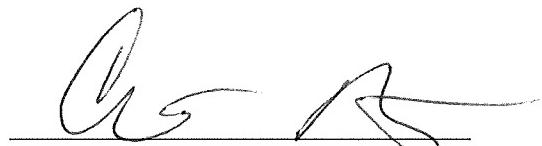
One Zastava, model PAP M85NP, 5.56x45 caliber pistol bearing serial number M85-NP011146, and ammunition seized on or about April 2, 2021, during the investigation;

One Mossberg, model 590, 12 gauge shotgun, bearing serial number V1280666, and ammunition, One 9mm Polymer 80 handgun of unknown make and model and bearing no serial number; One Lorcin .380 caliber handgun bearing serial number 195535 and ammunition, One Ruger BX-15, .17 caliber rifle, bearing serial number 841-13404, and one Smith and Wesson, model M&P, .40 caliber pistol, bearing serial number NJJ5144, all seized on or about June 5, 2021, during the investigation. ("the FIREARMS").

I represent and warrant that I am the sole owner of the FIREARMS, and that there are no other persons or entities having an interest in the FIREARMS.

I acknowledge that the FIREARMS were lawfully seized and withdraw any claim that I have made with respect to the FIREARMS, and further waive and release any claim that I might have otherwise made to the FIREARMS in the future.

I consent to the destruction or other disposition of the FIREARMS, and waive any right to receive notice or hearing, whether judicial or administrative, that a governmental entity may take, in its sole discretion, to carry out the destruction or other disposition of the FIREARMS.



CHRISTOPHER SCOTT BURTON
Defendant